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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/525,380	10/19/2005	Xiangdong Liu	L542.312-0022	5184

164 7590 03/12/2009  
KINNEY & LANGE, P.A.  
THE KINNEY & LANGE BUILDING  
312 SOUTH THIRD STREET  
MINNEAPOLIS, MN 55415-1002

EXAMINER
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SETO, JEFFREY K

ART UNIT	PAPER NUMBER
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2458

MAIL DATE	DELIVERY MODE
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03/12/2009

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/525,380	<b>Applicant(s)</b> LIU ET AL.	
	<b>Examiner</b> Jeffrey Seto	<b>Art Unit</b> 2458	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 October 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-4 are pending.

#### ***Response to Amendment***

2. In response to the Amendment filed on 12-15-2008:
  - a. The objection to Figures 2-5 has been withdrawn;
  - b. The objection to the Abstract of the disclosure has been withdrawn;
  - c. The objection to Claim 4 has been withdrawn; and,
  - d. The rejection of Claims 1-2, as being anticipated by Applicant's Admitted Prior Art, has been withdrawn.

#### ***Response to Arguments***

3. Applicant's arguments filed on 12-15-2008, regarding the prior art rejections, have been fully considered but they are not persuasive. Regarding applicant's argument that the prior art does not disclose "an initiating device announces its own device information to all other devices in the network in a multicasting manner, when there is no network resource management device". Zintel, et al. teaches this limitation at paragraph 12, lines 4-13; wherein announcing its own presence to other devices on the network includes announcing its own device information to all other devices.

### ***Drawings***

4. The drawings are objected to because some of the functional units in Figure 1, such as the Server and the Mobile Device, are missing reference numbers. Applicant is reminded that each reference number that is added to the Figures must also be added in the Specification. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

Art Unit: 2458

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-4 are rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent Application Publication No. 2002/0035621 to Zintel, et al. (Zintel), or, in the alternative, under 35 U.S.C. 103(a) as obvious over Zintel, in view of U.S. Patent Application Publication No. 2001/0002473 to Waldo, et al. (Waldo).

6. Regarding claim 1, Zintel teaches a method of searching for devices automatically in a network, which is characterized in that it includes at least following steps of: a. firstly searching, by a device initiating party, whether a resource management device exists in the network when two devices are interconnected; if so, going to step c, otherwise going to step b; (See page 2, paragraph 10, lines 2-10, and page 28, paragraphs 528 & 529)

b. announcing its own device information, by the device initiating party, to all other devices in the network in a multicasting manner, at the same time, monitoring announcement information of all the other devices; when receiving information of other devices, sending a connection request from the device initiating party to a device requiring connection, and completing corresponding operations after receiving a

Art Unit: 2458

response; (See p. 2, par.'s 12 & 13, and pp. 10-11, par. 187) and,  
c. sending a device searching request from the device initiating party to the resource management device; upon receiving the request, making a search, by the resource management device, among device registration information stored therein; after a device satisfying conditions is found out, information related to that device being immediately sent to the device initiating party, otherwise, informing the device initiating party that the information is not found, wherein the resource management device announces its own device information in a multicasting manner. (See p. 28, par.'s 532 & 533).

Zintel may not clearly teach that the management device announces its own information before the newly added device registers with the management device, however, Waldo teaches this limitation (See pp. 3-4, par. 55, lines 1-6). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine the teachings of Waldo with the system of Zintel, since doing so would have made it clear to all newly added devices that there was a management device on the network, thereby preventing any delay or confusion on the newly added device's part, as to where to register and start communicating with other devices on the network.

7. Regarding claim 2, Zintel further teaches wherein the step b further includes the step of: after receiving the request of the device initiating party, judging, by a requested party device, whether it is accepted or not; if it is accepted, sending a connection accepted response from the requested party device to the device initiating party and then performing device connecting between these two devices; otherwise,

Art Unit: 2458

sending a connection rejected response from the requested party device to the device initiating party. (See p. 28, par. 530, lines 7-10, and par. 531, lines 10-14).

8. Regarding claim 3, Zintel further discloses when each device applies to access the network, firstly registering its own device information onto the resource management device and forming a master-slave devices relation with the resource management device. (See p. 28, par. 533; wherein the directory effectively acts as the master to the newly added device).

9. Regarding claim 4, Zintel teaches before the device applying for access makes device registration, it firstly receives the device announcement information of the resource management device. (See pp. 10 & 11, par. 187).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2458

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey Seto whose telephone number is (571)270-7198. The examiner can normally be reached on Monday thru Thursday and alt. Fridays, 9:30 AM-7 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph E. Avellino can be reached on (571) 272-3905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Application/Control Number: 10/525,380

Page 8

Art Unit: 2458

/Joseph E. Avellino/

Primary Examiner, Art Unit 2446